

PATENT

Case Docket No. NIH258.001DV1

Date: October 29, 2004

Cap 1636
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Yanagi et al.
Appl. No. : 09/662,454
Filed : September 14, 2000
For : CLONED GENOMES OF
INFECTIOUS HEPATITIS C
VIRUSES AND USES
THEREOF
Examiner : Leffers Jr., Gerald G.
Group Art Unit : 1636

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 29, 2004

(Date)

Nancy W. Vensko, Reg. No. 36,298

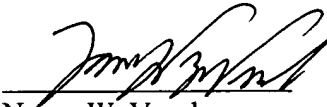
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Terminal Disclaimer Under 37 C.F.R. § 1.321.
- (X) A check in the amount of \$110 is enclosed for filing fee.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.


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NIH258.001DV1

CUSTOMER NO.: 45311

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321

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Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of a 100 percent interest in the above-identified application and co-owned US Patent No. 6,153,421, all by virtue of an assignment recorded at Reel No. 009069, Frame No.0126 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

Disclaimer by Assignee

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,153,421, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the instant application and U.S. Patent No. 6,153,421 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

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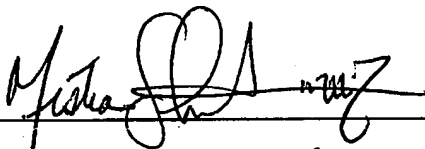
Appl. No. : 09/662,454
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Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of U.S. Patent No. 6,153,421, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

This Terminal Disclaimer is accompanied by the \$110 fee set forth in 37 C.F.R. § 1.20(d).

Done on this 28 day of October, 2004, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES

By: 

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